

## Federal Property Management Regulations

## § 101-44.700

donee shall not require further GSA approval, unless the property has an estimated value in excess of \$500 or, in the case of blood plasma, consists of a quantity in excess of 1,000 units. In those instances in which the property to be donated exceeds the amounts stated, the GSA Regional Administrator for the area in which the property is located may approve the formal request submitted by the Red Cross.

### § 101-44.602 Cooperation of holding agencies.

Holding agencies shall cooperate with the Red Cross by informing the National Headquarters, Attention: General Supply Office, 17th and D Streets NW., Washington, DC 20006, of any surplus property in their custody which meets the criteria in § 101-44.600. By memorandum, letter, or other means of communication, the holding agencies shall provide information regarding suggested shipping facilities, quantity, description, condition, and location of such property in their inventories.

### § 101-44.603 Action by the Red Cross.

(a) Upon receipt of information from the holding agency regarding the availability of surplus personal property covered by this subpart, the Red Cross may inspect the property or request it pursuant to § 101-44.600 without inspection.

(b) The formal request and shipping instructions in duplicate shall be prepared and transmitted by the Red Cross to the holding agency activity having custody of the property within 20 calendar days from the date of notification of information provided for in § 101-44.602. Shipping instructions shall include a list of all such surplus property to be transferred and shall include reference to the date when information on which the request is based was received by the Red Cross. One copy of the request and shipping instructions shall be forwarded to the GSA regional office for the area in which the property is located.

(c) When the property to be donated exceeds the quantities stated in § 101-44.601, the Red Cross shall send three copies of the formal request and ship-

ping instructions to the designated GSA regional office for approval. Upon approval, the GSA regional office will mail two approved copies direct to the responsible activity of the holding agency.

### § 101-44.604 Transfer by holding agency.

The holding agency shall transfer direct to the Red Cross, upon receipt of the request and shipping instructions provided for in § 101-44.603, all items of surplus property requested. One copy of the request and shipping instructions shall be enclosed with the shipment or attached to shipping documents. The shipments shall be made f.o.b. installation, transportation charges collect.

### § 101-44.605 Donable property determined unusable by the Red Cross.

Property eligible for donation to the Red Cross which because of deterioration or for other reasons the Red Cross declines in writing to request as a donation, or as to which no action is taken by the Red Cross within the 20 calendar day period prescribed in § 101-44.603, shall be disposed of as other surplus. When the Red Cross property is offered for disposal, the disposal document shall provide for a certification to the effect that all Red Cross labels or other Red Cross identifications will be obliterated or removed from the property before use by the recipient or transfer by him to other users.

## Subpart 101-44.7—Donations of Property to Public Bodies

### § 101-44.700 Scope of subpart.

This subpart prescribes the policies and methods governing the disposition by executive agencies by donation to public bodies of personal property which has no commercial value or of which the estimated cost of continued care and handling would exceed the estimated proceeds from its sale. This subpart does not apply to:

(a) Surplus personal property donated for the purposes of subparts 101-44.2, 101-44.4, and 101-44.5; or

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(b) Controlled substances (as defined in § 101-42.001) and combat material (as defined in § 101-46.001-2).

[42 FR 56003, Oct. 20, 1977, as amended at 57 FR 39136, Aug. 28, 1992]

### **§ 101-44.701 Findings justifying donation to public bodies.**

#### **§ 101-44.701-1 General.**

(a) Property shall not be donated to public bodies by an executive agency unless it is affirmatively found in writing by a duly authorized official of the agency either that:

(1) The property has no commercial value, or

(2) The estimated cost of its continued care and handling would exceed the estimated proceeds from its sale.

(b) Findings shall not be made by any official directly accountable for the property covered thereby.

#### **§ 101-44.701-2 Reviewing authority.**

When a line item of the property to be disposed of under this subpart 101-44.7 by an executive agency at any one location at any one time had an original cost (estimated if not known) of more than \$1,000, findings made under § 101-44.701-1 shall be approved by a reviewing authority before any disposal.

### **§ 101-44.702 Donations to public bodies.**

#### **§ 101-44.702-1 Authority to donate.**

Any executive agency may donate property to public bodies in accordance with § 101-44.701-1.

#### **§ 101-44.702-2 Disposal costs.**

Any public body receiving property from an executive agency pursuant to this subpart shall pay the disposal costs incident to the donation such as packing, preparation for shipment, demilitarization, loading, and transportation to the donee.

#### **§ 101-44.702-3 Hazardous materials.**

When hazardous materials as defined in part 101-42 are donated to a public body in accordance with this subpart, the head of the agency or designee authorized to make the donation shall be responsible for the safeguards, notifications, and certifications required by

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part 101-42, and compliance with all other requirements therein.

[57 FR 39136, Aug. 28, 1992]

### **Subpart 101-44.8 [Reserved]**

### **Subpart 101-44.9—Miscellaneous Statutes**

#### **§ 101-44.900 Scope of subpart.**

Property disposed of under the following statutes is first subject to the requirements of subparts 101-44.2, 101-44.4, and 101-44.5. Disposals under these statutes do not require the approval of the Administrator of General Services.

#### **§ 101-44.901 Condemned or obsolete material.**

Pursuant to 10 U.S.C. 2572, the Secretary of a military department or the Secretary of the Treasury (and the Secretary of Transportation with regard to the functions of the Coast Guard transferred to him under Pub. L. 89-670, approved October 15, 1966) may lend or give, without expense to the United States, books, manuscripts, works of art, drawings, plans, models, and condemned or obsolete combat material that are not needed by that department to recipients specified in 10 U.S.C. 2572. However, records of the Government as defined in 44 U.S.C. 3306 shall not be disposed of under this § 101-44.901.

#### **§ 101-44.902 Obsolete, condemned, or captured vessels.**

Pursuant to 10 U.S.C. 7308, the Secretary of the Navy may transfer by gift or otherwise, on terms prescribed by him and set forth in 10 U.S.C. 7308 (b) and (c), any obsolete or condemned vessel of the Navy or any captured vessel in the possession of the Department of the Navy to recipients specified in 10 U.S.C. 7308.

#### **§ 101-44.903 Obsolete naval material.**

Pursuant to 10 U.S.C. 7541, the Secretary of the Navy may give obsolete material not needed for naval purposes and may sell other material that may be spared at a price representing its fair value to the Boy Scouts of America for the sea scouts, the Naval Sea Cadet Corps for the sea cadets, and the